

**From:** Peter Gold/R3/USEPA/US  
**Sent:** 1/11/2012 1:28:56 PM

**To:** Victoria Binetti/R3/USEPA/US@EPA; Linda Boornazian/R3/USEPA/US@EPA; Chad Harsh/R3/USEPA/US@EPA; Steve Platt/R3/USEPA/US@EPA  
**CC:**  
**Subject:** GAO Meeting

To All,

For the WPD specific questions, the division responder for each question is identified in red. Please let me know if you have any questions. Thank You

#### Water

1. Please provide an overview of EPA region 3's role in regulating oil and gas development under the Clean Water Act and Safe Drinking Water Acts in your region, with particular focus on Pennsylvania. **Linda**
2. Based on news reports, it appears that companies in Pennsylvania have agreed to stop discharging produced water and frac wastewater to publicly-owned treatment works. What was EPA's involvement, if any, regarding Pennsylvania's actions on this? Does EPA have a position on the discharges, such as regarding the ability of local POTWs to treat them or whether POTWs are authorized to receive them? To EPA's knowledge, what other options are available to producers for disposing of these wastewaters? **Linda**
3. In past interviews with GAO's Produced Water team, Region 3 officials mentioned that there are only a few Type II UIC wells in Pennsylvania, but stated that this is not because the geology is inappropriate for such wells. Can you explain in greater detail why there are few Type II UIC wells in Pennsylvania? Has EPA received permit applications for any Type II UIC wells in Pennsylvania that would receive produced water? If so, did EPA grant the permit? What is Pennsylvania's involvement, if any, in EPA decisions on UIC well permits in the state? **Vicky or Steve**
4. In past interviews with GAO's Produced Water team, Region 3 officials mentioned that, even in cases where states have primacy for a program, EPA can step in to conduct enforcement if they feel the state is not adequately enforcing program requirements. Has EPA taken, or encouraged the state to take, any enforcement actions under the SDWA or CWA related to oil and gas development in Pennsylvania? **Vicky**
5. Has EPA ever exercised imminent and substantial endangerment authority under the SDWA (42 U.S.C. § 300i(a)) or CWA (33 U.S.C. § 1364(a)) to address concerns related to oil or gas development or operations activity in Pennsylvania? **Vicky**
6. What has been the EPA's role in the investigation into groundwater contamination in Dimock, PA? Has EPA conducted any other investigations? If so, how many and what were their outcomes? **Vicky**